



Department of Planning, Housing, & Community Development

Mayor, Matthew T. Ryan
Tarik Abdelazim, Director

Supplemental Report / Conditions of Approval

TO: Planning Commission Members
FROM: Planning Housing and Community Development
DATE: August 30, 2013
SUBJECT: 107 Oak Street; Special Use Permit/Series A Site Plan Review
CASE: 2013-51
TM ID #: 160.39-3-36

At the Planning Commission meeting in October, Planning Commissioners suggested that assurance that the trash enclosure located at 105 Oak Street would be continually made available for use by 107 Oak Street was needed. To accomplish this Staff has prepared a supplement condition of approval. See condition 5 below.

A. SUGGESTED CONDITIONS

Staff recommends the following conditions of approval:

1. All exterior improvements listed on the attached letter from the applicant file dated August 30, 2013 shall be completed prior to the issuance of a Certificate of Occupancy for 107 Oak Street.
2. The tenants at 107 Oak Street shall be required to store trash within the dumpster enclosure located at 105 Oak Street. The perimeter the dumpster pad located at 105 Oak Street shall be enclosed on three sides by an enclosure not less than the height of the dumpster plus six inches. The enclosure must provide a visual barrier between the interior and exterior of the dumpster area. The remaining side of the dumpster enclosure shall be enclosed with a minimum 30-inch wide gate to enable a person to walk into the enclosure to deposit trash, garbage, refuse, or recyclable materials.
3. The owner shall be responsible for keeping the site free and litter and debris at all times.
4. A final site plan shall be submitted for review and approval by the Planning Department which illustrates the size, species and location of all planting materials to be planted in the perimeter landscape beds along the side lot lines and illustrates the removal of the concrete between the front porch of 107 Oak Street and the sidewalk and the size, species and location of all planting material to be planted in its place.
5. **Trash Enclosure Access and Maintenance Agreement**
Prior to issuance of a certificate of occupancy, the applicant shall prepare a reciprocal trash enclosure access and maintenance agreement incumbent upon 105 Oak Street and 107 Oak Street for the purposes of allowing the storage of trash and recyclables for 105 and 107 Oak Street within the trash enclosure located at 105 Oak Street. The agreement shall include provisions for maintenance of the trash enclosure and shall be recorded at the County Clerk's Office at the applicant's expense.